

PROCEEDINGS OF THE BROWN COUNTY BOARD OF SUPERVISORS
JANUARY 15, 2014

Pursuant to Section 19.84 and 59.14, Wis. Stats., notice is hereby given to the public that the REGULAR meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** was held on **Wednesday, January 15, 2014, at 7:00 p.m.**, in the Legislative Room 203, 100 North Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order at 7:00 p.m.

Invocation.

Pledge of Allegiance to the Flag.

Present: Sieber, De Wane, Nicholson, Hopp, Erickson, Zima, Evans, Vander Leest, Buckley, Landwehr, Dantine, La Violette, Katers, Kaster, Van Dyck, Jamir, Robinson, Clancy, Campbell, Moynihan, Steffen, Lund, Fewell

Excused: Hoyer, Haefs, Carpenter

Total Present: 23

Total Excused: 3

No. 1 -- ADOPTION OF AGENDA

A motion was made by Supervisor Nicholson and seconded by Supervisor Kaster **“to adopt the agenda.”** Voice vote taken. Motion carried unanimously with no abstentions.

No. 2 -- COMMENTS FROM THE PUBLIC: NONE

- a) Must be limited to items not on the agenda.
- b) State name and address for the record.
- c) Comments will be limited to five minutes.
- d) The Board's role is to listen and not discuss comments nor take action of those comments at this meeting.

No. 3 -- APPROVAL OF MINUTES OF DECEMBER 18, 2013.

A motion was made by Supervisor Sieber and seconded by Supervisor Dantine **“to approve the minutes of the December 18, 2013 meeting”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 4 -- ANNOUNCEMENTS OF SUPERVISORS.

Supervisor Lund requested that everyone donate blood. Mr. Lund stated because of the inclement weather and below zero temperatures, many blood drives were cancelled and the Red Cross is in need of about 500 units of whole blood. So if you have the time, please consider donating.

No. 5 -- COMMUNICATIONS. NONE

Late Communications:

- 5a. FROM CHAIR MOYNIHAN RE: UPON THE RESIGNATION OF BROWN COUNTY TREASURER KERRY BLANEY, EFFECTIVE FRIDAY, MARCH 14, 2014, THE BROWN COUNTY BOARD OF SUPERVISORS HEREBY DESIGNATES DEPUTY TREASURER MARY REINHARD AS INTERIM TREASURER OF BROWN COUNTY UNTIL THE ELECTION AND OATH OF OFFICE IS ADMINISTERED TO A NEW, DULY ELECTED TREASURER, FULFILLING THE REMAINDER OF THE TREASURER'S TERM CONCLUDING DECEMBER 31, 2016.**

Refer to Administration Committee and Executive Committee.

- 5b. FROM SUPERVISOR SIEBER RE: REVIEW AND POSSIBLE ACTION OF HIRING BUDGETED POSITIONS.**

Refer to Executive Committee.

No. 6 -- APPOINTMENTS.

No. 6a -- APPOINTMENT OF JOHN VAN DYCK TO THE LIBRARY BOARD

A motion was made by Supervisor La Violette and seconded by Supervisor Clancy **“to approve the above appointment”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 7a -- REPORT BY COUNTY EXECUTIVE.

County Executive Streckenbach announced a Task Force report was placed on the Supervisors' desks regarding the merging of the Library and Museum to one location. According to the recommendations of the Task Force this is not possible due to lack of square footage at either location. It would be a disservice to the residents of Brown County to consider a co-location at this time. In the future, if space becomes available, there is a possibility this merger between the Brown County Library and Neville Public Museum would be reconsidered

Executive Streckenbach mentioned he would like to see a Task Force Committee formed to look at the future of the Museum and its footprint in the future of Brown County.

County Executive Streckenbach announced that the December Report of the Joint Finance Committee supports the expansion of the Family Care Program. Mr. Streckenbach stated the State needs to pass a resolution in the very near future to allow the 900 people on the Family Care waiting list in Brown County to receive care. The passage of this resolution would eliminate 70 positions in the Human Services Department and decrease the budget by approximately \$50,000,000. It would also free up space in the Sophie Beaumont Building. Hopefully in the future, the 70 positions eliminated in Human Services could be transitioned to the Family Care Program.

Executive Streckenbach announced a workforce meeting involving 30 community leaders will be held on Wednesday, January 22, 2014. The meeting is to collaborate on future job destinations including Brown County Research and Business Park.

At this time Mr. Streckenbach announced that Jerry Polus, Veterans Service Officer wished to address the County Board.

Mr. Polus addressed the Board regarding the Veterans' Emergency Fund for Brown County Veterans in need of assistance. Mr. Polus stated that in October he was approved by a family who makes decorative bugs and is selling them to raise money for the Emergency Fund for Veterans and they are donating 100% of the profits to the Emergency Fund. Mr. Polus said they have received \$700 so far from sales for the Veterans Emergency Fund. Mr. Polus also mentioned that Fluid Systems donated \$500; National Packaging donated \$1000; and Walmart in conjunction with James Jones Fighting Hunger and Homelessness donated \$25,000; for a total of \$27,200 in donations for the Veterans Emergency Fund. Mr. Polus encouraged the Supervisors to find out if there are any Veterans in their districts in need of assistance; and to contact his office for assistance.

No. 7b -- REPORT BY BOARD CHAIRMAN.

Chairman Moynihan wished everyone a healthy, happy and prosperous New Year.

No. 8 -- OTHER REPORTS.

No. 8a -- TREASURER'S FINANCIAL REPORT FOR THE MONTH OF AUGUST 31, 2013

BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR THE MONTH OF AUGUST 31, 2013

The following is a statement of the Treasurer's Cash on Hand and in the General Account as of August 31, 2013:

Associated Bank and Chase Bank	\$5,411,170.27
Bank Mutual, Denmark State Bank, & Pioneer Credit Union	\$0.00
Wisconsin Development Fund	\$0.00
Overnight Investments	\$0.00
Deposits in Transit	\$237,239.31
Emergency Fund	(\$38,555.96)
NSF Checks Redeposited	(\$27,492.18)
Clerk Passport Account	\$500.00
Workers Comp Acct	(\$6,537.70)
UMR Sweep Account	(\$421,152.55)
Bank Error(s)	\$0.00
Total	\$5,155,171.19
Less Outstanding Checks	(\$3,657,518.68)
Other Reconcilable Items	\$0.00
Balance Per County	\$1,497,652.51

The following is a statement of the Treasurer's Working Capital Reserves placed in time deposits within designated Brown County public depositories for investment purposes as of August 31, 2013:

	2012	2013
Year-to-Date Interest Received	\$636,928.18	\$435,977.07
Interest Received-Current Month	<u>\$69,624.23</u>	<u>\$122,375.98</u>
Year-to-Date Interest Unrestricted Funds	\$706,552.41	\$558,353.05
Working Capital Reserves Invested	\$127,240,522.59	\$136,717,746.77

Restricted Investments	\$15,136,040.99	\$11,606,958.03
Total Funds Invested	\$142,376,563.58	\$148,324,704.80
Certificates of Deposits	\$6,095,735.00	\$8,459,641.96
Treas-Gov't Agencies	\$48,860,721.77	\$58,194,840.74
Commercial Paper	\$0.00	\$0.00
Money Mkt-Pool	\$87,420,106.81	\$81,670,221.80
Total	\$142,376,563.58	\$148,324,704.50

Rate of Return: 0.692% 0.734%

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the balances appearing in the "Cash on Hand and in the General Account" and "Working Capital Reserves" statements above were examined and are correct as of August 31, 2013.

/s/ Kerry M. Blaney

Kerry M. Blaney, County Treasurer

Approved by:

/s/ Troy Streckenbach

County Executive

Date

Submitted by Administration Committee:

Final draft approved by Corporation Counsel

A motion was made by Supervisor Kaster and seconded by Supervisor Van Dyck **"to adopt"**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Troy Streckenbach, County Executive Date: 1/20/2014

No. 8b -- TREASURER'S FINANCIAL REPORT FOR THE MONTH OF SEPTEMBER 30, 2013

BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR THE MONTH OF SEPTEMBER 30, 2013

The following is a statement of the Treasurer's Cash on Hand and in the General Account as of September 30, 2013:

Associated Bank and Chase Bank	\$4,107,264.19
Bank Mutual, Denmark State Bank, & Pioneer Credit Union	\$0.00
Wisconsin Development Fund	\$0.00
Overnight Investments	\$0.00
Deposits in Transit	\$116,231.57
Emergency Fund	(\$18,329.64)
NSF Checks Redeposited	(\$28,426.97)
Clerk Passport Account	\$500.00
Workers Comp Acct	(\$12,737.07)
UMR Sweep Account	(\$465,223.80)

Bank Error(s)	\$0.00
Total	\$3,699,278.28
Less Outstanding Checks	(\$2,345,570.07)
Other Reconcilable Items	\$0.00
Balance Per County	\$1,353,708.21

The following is a statement of the Treasurer's Working Capital Reserves placed in time deposits within designated Brown County public depositories for investment purposes as of September 30, 2013:

	2012	2013
Year-to-Date Interest Received	\$706,552.41	\$558,353.05
Interest Received-Current Month	\$83,110.69	\$57,726.03
Year-to-Date Interest Unrestricted Funds	\$789,663.10	\$616,079.08
Working Capital Reserves Invested	\$133,020,342.73	\$128,778,206.63
Restricted Investments	\$12,947,602.27	\$11,360,143.08
Total Funds Invested	\$145,967,945.00	\$140,138,349.71
Certificates of Deposits	\$6,095,735.00	\$9,209,641.96
Treas-Gov't Agencies	\$47,918,352.05	\$61,428,082.53
Commercial Paper		\$0.00
Money Mkt-Pool	\$91,953,857.95	\$69,500,625.22
Total	\$145,967,945.00	\$140,138,349.71

Rate of Return: 0.661% 0.690%

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the balances appearing in the "Cash on Hand and in the General Account" and "Working Capital Reserves" statements above were examined and are correct as of September 30, 2013.

ls\ Kerry M. Blaney
Kerry M. Blaney, County Treasurer

Approved by:

ls\ Troy Streckenbach
County Executive Date

Submitted by Administration Committee:

Final draft approved by Corporation Counsel

A motion was made by Supervisor Dantine and seconded by Supervisor Steffen "to adopt". Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: ls\ Troy Streckenbach, County Executive Date: 1/20/2014

No. 8c -- **TREASURER'S FINANCIAL REPORT FOR THE MONTH OF OCTOBER 31, 2013**

BROWN COUNTY TREASURER'S FINANCIAL REPORT FOR THE MONTH OF OCTOBER 31, 2013

The following is a statement of the Treasurer's Cash on Hand and in the General Account as of October 31, 2013:

Associated Bank and Chase Bank	\$5,156,934.61
Bank Mutual, Denmark State Bank, & Pioneer Credit Union	\$0.00
Wisconsin Development Fund	\$0.00
Overnight Investments	\$0.00
Deposits in Transit	(\$45,885.21)
Emergency Fund	(\$6,438.85)
NSF Checks Redeposited	(\$16,706.69)
Clerk Passport Account	\$500.00
Workers Comp Acct	(\$10,186.44)
UMR Sweep Account	(\$374,908.43)
Bank Error(s)	\$0.00
Tota	
I	\$4,703,308.99
Less Outstanding Checks	(\$3,310,620.94)
Other Reconcilable Items	\$0.00
Balance Per County	\$1,392,688.05

The following is a statement of the Treasurer's Working Capital Reserves placed in time deposits within designated Brown County public depositories for investment purposes as of October 31, 2013:

	2012	2013
Year-to-Date Interest Received	\$789,663.10	\$616,079.08
Interest Received-Current Month	\$162,503.78	\$124,044.40
Year-to-Date Interest Unrestricted Funds	\$952,166.88	\$740,123.48
Working Capital Reserves Invested	\$105,416,795.98	\$108,250,185.44
Restricted Investments	\$18,123,499.51	\$10,414,990.58
Total Funds Invested	\$123,540,295.49	\$118,665,176.02
Certificates of Deposits	\$6,095,735.00	\$7,459,641.96
Treas-Gov't Agencies	\$46,551,391.65	\$63,336,095.29
Commercial Paper	\$0.00	\$0.00
Money Mkt-Pool	\$70,893,168.84	\$47,869,438.77
Total	\$123,540,295.49	\$118,665,176.02

Rate of Return: 0.854% 1.050%

I, Kerry M. Blaney, Brown County Treasurer, do hereby certify that the balances appearing in the "Cash on Hand and in the General Account" and "Working Capital Reserves" statements above were examined and are correct as of October 31, 2013.

ls\ Kerry M. Blaney
Kerry M. Blaney, County Treasurer

Approved by:

\s\ Troy Streckenbach

County Executive

Date

Submitted by Administration Committee:

Final draft approved by Corporation Counsel

Approved by: \s\ Troy Streckenbach, County Executive

Date: 1/20/2014

A motion was made by Supervisor Sieber and seconded by Supervisor Erickson **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 9 -- STANDING COMMITTEE REPORTS:

No. 9a -- REPORT OF ADMINISTRATION COMMITTEE. No Meeting. No Report.

No. 9b -- REPORT OF EDUCATION & RECREATION COMMITTEE OF JANUARY 2, 2014

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EDUCATION & RECREATION COMMITTEE met in regular session on January 2, 2014 and recommends the following:

1. Review minutes of:
 - a. Library Board (October 17, 2013 & November 21, 2013). Receive and place on file.
2. Communication from Supervisor Lund re: Support collaborative effort to increase parking at the Brown County Boat Launch in Suamico and to dredge the mouth of the Suamico River from funding from the State of Wisconsin and local resources.
 - i. To refer to staff to work with Congressman Ribble's office (Rick Sense) on federal funding from the Harbor Assistance Grant Program and send information on this project to the DNR and other State officials for support.
 - ii. To refer to staff to determine the cost of additional parking, research funding sources, and bring back results within 60 days.
3. Communication from Supervisor Vander Leest re: Create an ordinance requiring the Golf Course to create a Golf Course Maintenance Fund and a policy that splits excess revenue between 75% to the Golf Course Maintenance and 25% to the General Fund.
 - i. To refer to staff to create a policy that splits excess revenue between 75% to the Golf Course Maintenance/Reserve Fund, and 25% to the General Fund with the stipulation that a minimum balance of four months operating expenses be maintained or \$200,000, whichever is greater.
4. Golf Course - Budget Status Financial Report for November, 2013. To receive and place on file.
5. Golf Course - Superintendent's Report. Receive and place on file.
6. Parks Budget Status Financial Report for November, 2013. Receive and place on file.

7. Park Management - Resolution Requesting Approval for Brown County to Accept Donation Conveyance of Real Estate Parcel Number VH-847 for the Benefit of the Brown County Park Department's Barkhausen Waterfowl Preserve. To hold until February meeting. See Resolutions, Ordinances January County Board.
8. Parks Division - Assistant Director's Report. Receive and place on file.
9. NEW Zoo Budget Status Financial Report for November, 2013. Receive and place on file.
10. Zoo - Operations Report for November, 2013.
 - i. Admissions, Revenue, Attendance Report.
 - ii. Gift Shop, Mayan Zoo Pass Revenue Report. Receive and place on file.
11. NEW Zoo Education & Volunteer Programs Report for November, 2013. Receive and place on file.
12. Zoo Animal Collection Report for December, 2013. Receive and place on file.
13. Zoo Activity/Director's Report. Receive and place on file.
14. Museum - Budget Status Financial Report for November, 2013. Receive and place on file.
15. Museum - Neville Public Museum Attendance and Revenue for November, 2013. Receive and place on file.
16. Museum - Neville Public Museum Attendance – 5 Year Span. Receive and place on file.
17. Museum - Sales Report. Receive and place on file.
18. Museum - Interim Director's Report. Receive and place on file.
19. Library - Budget Status Financial Report for November, 2013. Receive and place on file.
20. Library - Background Information on the Denmark and Wrightstown branch libraries. Hold for one month.
21. Library - Director's Report. Receive and place on file.
22. Resch Centre/Arena/Shopko Hall - Complex Attendance for the Brown County Veterans Memorial Complex for November, 2013. Receive and place on file.
23. Audit of bills. *No bills, no action taken.*

A motion was made by Supervisor Katers and seconded by Supervisor Campbell **"to adopt"**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 9c -- REPORT OF EXECUTIVE COMMITTEE OF JANUARY 6, 2014

TO THE MEMBERS OF THE BROWN COUNTY
BOARD OF SUPERVISORS

Ladies and Gentlemen:

The EXECUTIVE COMMITTEE met in regular session on January 6, 2014 and recommends the following motions:

1. Communication from Supervisor Robinson re: That a report on the results of the County Board listening sessions be given at the January Executive Committee Meeting and that discussion take place on priorities of further Brown County Action.
 - i. To refer to County Executive to come back with his thoughts. No vote taken.
 - ii. To review with department heads and come back and analyze it and send back to Executive Committee. Carried 6-1.
2. Vacant Budgeted Positions - Administration – Senior Accountant - Vacated 1/6/14. See *Item #8.*

3. Vacant Budgeted Positions - Airport – Operations Supervisor - Vacated 1/20/14.
 4. Vacant Budgeted Positions - Health – Public Health Nurse - Vacated 1/2/14.
 5. Vacant Budgeted Positions - Human Services – Psychiatrist - Vacated 3/1/14.
 6. Vacant Budgeted Positions - Planning & Land Services – Planner I – Vacated 12/31/13.
 7. Vacant Budgeted Positions - Public Works FM – Housekeeper – Vacated 12/13/13.
 8. Vacant Budgeted Positions - Zoo & Park Management – Assistant Park Director – Vacated 12/31/13.
 - i. To suspend the rules and take Items 2-8 together. Carried 6-1
 - ii. To approve Items 2-8. Carried 6-1
 9. Legal Bills - Review and Possible Action on Legal Bills to be paid. To approve the legal bills.
 10. County Executive Report. Receive and place on file.
 11. Internal Auditor Report.
 - a) Board of Supervisors Budget Status Financial Report for November, 2013. Receive and place on file.
 - b) Quarterly Status Update. Receive and place on file.
- Closed Session:
12. Update, discussion on classification of Correction officers.
 - i. Suspend the rules and take Items 12 and 13 together.
 - ii. To take Items 12 and 13 in open session. No vote taken.
 - iii. Receive and place on file Items 12 and 13.
 13. Update, discussion and possible action of Correction officers and bargaining. *See Item #12.*
 14. Update, discussion and possible action on bargaining with Sheriff Department Supervisor Labor Union.

Notice is hereby given that the governmental body will adjourn into a closed session during the meeting on the above numbers 12 thru 14, as authorized pursuant to Section 19.85 (1)(e) and (1)(g) of the Wisconsin Statutes, and Pursuant to Wis. Stat. § 111.70 as allowed for purposes of negotiating and collective bargaining, which authorizes the governmental body to convene in closed session for the purpose of:

- a) Deliberating or negotiating the purchase of public properties, the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Wis. Stat §19.85 (1)(e)
- b) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved. Wis. Stat § 19.85 (1)(g)
 - i. Enter into closed session.
 - ii. Return to open session.
 - iii. No action taken.

Reconvene in Open Session for Possible Action:

15. Update, discussion on classification of Correction officers and bargaining.
 - i. To suspend the rules and take Items 15 and 16 together at this time.
 - ii. ** For the County Executive to continue on the path he chose for the rescission of protective status. Carried 5-1
 - iii. To work on a separate resolution to encourage legislation to get the State Statute changed for the jailers and to bring the resolution forward at the January County Board meeting under "Committee of the Whole" and that the resolution be backed by the Sheriff and the Sheriff's Association and the County Board approving status change for correction officers.

16. Update, Discussion and possible action of Correction officers and bargaining. *See Item 15.*
17. Update, discussion and possible action on bargaining with Sheriff Department Supervisor Labor Union. To draft a resolution for the Sheriff Department Supervisor Labor Union and present it at the February Executive Committee meeting.

A motion was made by Supervisor De Wane and seconded by Supervisor Sieber **“to adopt”**. Supervisor Robinson requested item #1 be taken separately. Voice vote taken on remainder of report. Motion carried unanimously with no abstentions.

Item #1 -- Communication for Supervisor Robinson re: That a report on the results of the County Board listening sessions be given at the January Executive Committee Meeting and that discussion take place on priorities of further Brown County Action. COMMITTEE ACTION: i. To refer to County Executive to come back with his thoughts. No vote taken. li. To review with department heads and come back and analyze it and send back to Executive Committee. Carried 6-1.

Supervisor Robinson addressed the Board regarding action #1(ii) above and wants to know who is going to be the responsible party. Board Chair Moynihan stated he would be responsible. A motion was made by Supervisor Sieber and seconded by Supervisor Clancy **“to adopt item #1”**. Voice vote taken. Motion carried unanimously with no abstentions.

**** After the County Board reconvened from CLOSED SESSION Item #15ii above was reconsidered. See after reconvening into OPEN SESSION.**

No. 9ci -- REPORT OF EXECUTIVE COMMITTEE OF DECEMBER 9, 2013 (Items #21 & #22) Referred back from December County Board.

Closed Session:

21. ** Update, discussion on classification of correction officers.
22. ** Update, Discussion and possible action of Correction officers and bargaining.

Reconvene in Open Session for Possible Action:

21. ** Update, discussion on classification of correction officers and bargaining. *See Item 22.*
22. ** Update, Discussion and possible action of Correction officers and bargaining. To receive and place on file Items 21 and 22. Approved 6-1.

**** Items #21 and #22 above are referred back to Executive Committee and January 15, 2014 County Board Meeting for discussion and possible CLOSED SESSION.**

A motion was made by Supervisor Robinson and seconded by Supervisor Lund **“to adopt”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 9d -- REPORT OF HUMAN SERVICES COMMITTEE. No Meeting. No Report.

No. 9e -- REPORT OF PLANNING, DEVELOPMENT, & TRANSPORTATION COMMITTEE. No Meeting. No Report.

No. 9ei -- REPORT OF LAND CONSERVATION SUBCOMMITTEE. No Meeting. No Report.

No. 9f -- REPORT OF PUBLIC SAFETY COMMITTEE. No Meeting. No Report.

No. 10 -- Resolutions, Ordinances:

No. 10a -- RESOLUTION REQUESTING APPROVAL FOR BROWN COUNTY TO ACCEPT DONATION CONVEYANCE OF REAL ESTATE PARCEL NUMBER VH-847 FOR THE BENEFIT OF THE BROWN COUNTY PARK DEPARTMENT'S BARKHAUSEN WATERFOWL PRESERVE. Motion at Ed & Rec: To hold until February Meeting.

A motion was made by Supervisor Kaster and seconded by Supervisor Katers “**to hold until the February County Board Meeting**”. Voice vote taken. Motion carried unanimously with no abstentions.

CLOSED SESSION

No. 11 -- UPDATE, DISCUSSION ON CLASSIFICATION OF CORRECTION OFFICERS.

No. 12 -- UPDATE, DISCUSSION AND POSSIBLE ACTION OF CORRECTION OFFICERS AND BARGAINING.

No. 13 -- UPDATE, DISCUSSION AND POSSIBLE ACTION ON BARGAINING WITH SHERIFF DEPARTMENT SUPERVISOR LABOR UNION.

A motion was made by Supervisor Landwehr and seconded by Supervisor Jamir “**to convene into CLOSED SESSION**”. Vote taken. Roll Call #13(1):

Ayes: Sieber, De Wane, Nicholson, Hopp, Erickson, Zima, Evans, Vander Leest, Buckley, Landwehr, Dantine, La Violette, Katers, Kaster, Van Dyck, Jamir, Robinson, Clancy, Campbell, Moynihan, Steffen, Lund, Fewell

Excused: Hoyer, Haefs, Carpenter

Total Ayes: 23 Total Excused: 3

Motion carried “**to convene into CLOSED SESSION**”.

A motion was made by Supervisor Steffen and seconded by Supervisor Evans “**to reconvene into OPEN SESSION**”. Vote taken. Roll Call #13(2):

Ayes: Sieber, De Wane, Hopp, Erickson, Zima, Evans, Vander Leest, Buckley, Landwehr, Dantine, La Violette, Katers, Kaster, Van Dyck, Jamir, Robinson, Clancy, Campbell, Moynihan, Steffen, Lund, Fewell

Nays: Nicholson

Excused: Hoyer, Haefs, Carpenter

Total Ayes: 22 Total Nays: 1 Excused: 3

Motion carried “**to convene into OPEN SESSION**”.

OPEN SESSION

A motion was made by Supervisor Evans and seconded by Supervisor Sieber **“to reconsider Item #15ii under #9c Executive Committee Report of January 6, 2014”**. Voice vote taken. Motion carried with Supervisor La Violette voting nay.

Item #15ii -- Update, discussion on classification of Correction Officers and bargaining.
COMMITTEE ACTION: 15ii. For the County Executive to continue on the path
he chose for the rescission of protective status. Carried 5-1.

A motion was made by Supervisor Evans and seconded by Supervisor Hopp **“to receive and place on file item #15ii”**.

A motion was made by Supervisor Zima and seconded by Supervisor Nicholson **“to hold for one month to allow the County Board Chairman to seek outside expert advice on this issue”**.

Following discussion, Supervisor Zima withdrew his motion.

Vote taken on Supervisor Evan’s motion **“to receive and place on file item #15ii”**. Roll Call #15ii(1):

Ayes: Sieber, De Wane, Nicholson, Hopp, Erickson, Zima, Evans, Katers, Robinson, Clancy, Campbell, Lund

Nays: Vander Leest, Buckley, Landwehr, Dantine, La Violette, Kaster, Van Dyck, Jamir, Moynihan, Steffen, Fewell

Excused: Hoyer, Haefs, Carpenter

Total Ayes:	12	Total Nays:	11	Excused:	3
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Motion carried **“to receive and place on file item #15ii”**.

A motion was made by Supervisor Hopp and seconded by Supervisor Van Dyck **“to take Item #14 and Item #15 together”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 14 -- UPDATE, DISCUSSION ON CLASSIFICATION OF CORRECTION OFFICERS AND BARGAINING

No. 15 -- UPDATE, DISCUSSION AND POSSIBLE ACTION OF CORRECTION OFFICERS AND BARGAINING

A motion was made by Supervisor Sieber and seconded by Supervisor Evans **“to maintain protective status to correctional staff and jailers”**. Following discussion, the vote was taken. Roll Call #15(1):

Ayes: Sieber, De Wane, Nicholson, Hopp, Zima, Evans, Robinson, Clancy, Campbell

Nays: Erickson, Vander Leest, Buckley, Landwehr, Dantine, La Violette, Katers, Kaster, Van Dyck, Jamir, Moynihan, Steffen, Lund, Fewell

Excused: Hoyer, Haefs, Carpenter

Total Ayes:	9	Total Nays:	14	Excused:	3
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Motion failed.

A reconsideration motion was made by Supervisor Zima and seconded by Supervisor Campbell **“to hold this item until such time as staff can seek and bring an outside expert labor attorney to advise the Brown County Board regarding this matter”**.

A friendly amendment was made by Supervisor Lund **“by adding \$10,000 limit to seek an expert opinion and come back to the Board”**.

A motion by substitution on Supervisor Zima’s motion was made by Supervisor Sieber and seconded by Supervisor De Wane **“to maintain protective status until state legislation regarding correctional staff is voted upon”**.

Supervisor Steffen informed the Board Chair that Supervisor Zima’s reconsideration motion was illegal because Supervisor Zima did not vote in the majority.

Chair Moynihan stated that Supervisor Zima’s reconsideration motion and Supervisor Sieber’s motion by substitution were moot points.

Supervisor Zima challenged the Chair. After discussion, a vote was taken on Supervisor Zima’s challenge of the Chair. An “aye” vote agrees with Supervisor Zima’s challenge of the Chair; a “nay” vote agrees with the Chair’s decision to have the motions declared moot. Roll Call #15(2):

Ayes: De Wane, Nicholson, Hopp, Erickson, Zima, Evans, La Violette, Katers, Kaster, Clancy, Campbell

Nays: Vander Leest, Buckley, Landwehr, Dantine, Van Dyck, Jamir, Robinson, Moynihan, Steffen, Lund, Fewell

Abstain: Sieber

Excused: Hoyer, Haefs, Carpenter

Total Ayes: 11 Total Nays: 11 Abstain: 1 Excused: 3

At this time Supervisor Sieber stated he inadvertently hit the “abstain” button and meant to hit the “yes” button. Chair Moynihan acknowledged Supervisor Sieber’s error and allowed him to change his vote to aye.

Total Ayes: 12 Total Nays: 11 Excused: 3

Motion carried **“to challenge the Chair.”**

Chair Moynihan accepted Supervisor Zima’s reconsideration motion and Supervisor Sieber’s substitution motion.

Following discussion Supervisor Sieber agreed to add a friendly amendment to his motion to read as follows **“to maintain protective status until pending state legislation regarding correctional staff is voted upon until the conclusion of the present legislative session”**.

Vote taken. Roll Call #15(3):

Ayes: Sieber, De Wane, Nicholson, Hopp, Erickson, Zima, Evans, La Violette, Robinson, Clancy, Campbell

Nays: Vander Leest, Buckley, Landwehr, Dantine, Katers, Kaster, Van Dyck, Jamir, Moynihan, Steffen, Lund, Fewell

Excused: Hoyer, Haefs, Carpenter

Total Ayes: 11 Total Nays: 12 Excused: 3

Motion failed.

A motion was made by Supervisor Buckley and seconded by Supervisor Landwehr **“for the County Executive to continue on the path he chose for the rescission of protective status”**.

A motion was made by Supervisor De Wane and seconded by Supervisor Zima **“to receive and place on file Items #14 and 15”**. Vote taken. Roll Call #15(4):

Ayes: Sieber, De Wane, Nicholson, Hopp, Erickson, Zima, Evans, Robinson, Clancy, Campbell

Nays: Vander Leest, Buckley, Landwehr, Dantine, La Violette, Katers, Kaster, Van Dyck, Jamir, Moynihan, Steffen, Lund, Fewell

Excused: Hoyer, Haefs, Carpenter

Total Ayes: 10 Total Nays: 13 Excused: 3

Motion defeated.

Vote taken on Supervisor Buckley’s motion **“for the County Executive to continue on the path he chose for the rescission of protective status”**. Roll Call #15(5):

Ayes: Erickson, Vander Leest, Buckley, Landwehr, Dantine, La Violette, Katers, Kaster, Van Dyck, Jamir, Moynihan, Steffen, Lund, Fewell

Nays: Sieber, De Wane, Nicholson, Hopp, Zima, Evans, Robinson, Clancy, Campbell

Excused: Hoyer, Haefs, Carpenter

Total Ayes: 14 Total Nays: 9 Excused: 3

Motion carried.

No. 16 -- BROWN COUNTY BOARD OF SUPERVISORS COMMITTEE OF THE WHOLE

No. 16a -- RESOLUTION IN SUPPORT OF CHANGES TO THE STATE STATUTES REGARDING PROTECTIVE OCCUPATION PARTICIPANT STATUS OF COUNTY CORRECTION OFFICERS

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

WHEREAS, with the implementation of Wisconsin Act 10, “public safety employees” were defined as an employee designated as protective occupation status under the Wisconsin Retirement System (“WRS”), and said employee, as it relates to county jailers, detention officers and corrections officers were to meet the test as an “active law enforcement employee,” in order to retain full bargaining rights and protective status under WRS; and,

WHEREAS, if the county jailers, detention officers and corrections officers did not meet the test as an active law enforcement employee they were to be classified as general municipal employees for WRS purposes, retaining only the right to bargain over base wages; and,

WHEREAS, the changes in the law under Act 10, resulted in a need for re-evaluation of employee classifications in order to determine the legal obligations of the government entity under the law as it related to bargaining rights for the various classes of employees; and,

WHEREAS, this re-evaluation has caused confusion, disparity and litigation throughout the state, with many employees in the county jailers, detention officers and corrections officers positions losing protective status under WRS; and,

WHEREAS, it is important to preserve the intent of the changes implemented under Act 10, while maintaining the ability of the counties to assess and assign the job duties for county jailers, detention officers and corrections officers for the effective operation of their particular county departments; and,

WHEREAS, it is recognized that the counties in Wisconsin may assign different job duties to the county jailers, detention officers and corrections officers in their county, resulting in the employees being exposed to varying degrees of danger and peril; and,

WHEREAS, it is understood that individuals working in occupations as county jailers, detention officers and corrections officers exposed to high degrees of danger or peril demand a high degree of physical conditioning in order to perform their job duties; and,

WHEREAS, based on the job duties and exposure to danger and perilous situations, the occupations of county jailers, detention officers and corrections officers may create such stresses that there is a need to classify them as protective occupation participants for WRS purposes to promote early retirement; and,

WHEREAS, the individual counties are in the best position to make the determination as to whether the job duties assigned to their county jailers, detention officers and corrections officers are such that they need to be classified as protective occupation participants for WRS purposes, in order to maintain the protection of the public, inmates and employees; and,

WHEREAS, with specific changes in the law, the determination of protective status for county jailers, detention officers and corrections officers for retirement purposes can be made without making a finding that the employees are active law enforcement, and preserve the intent of Act 10; and,

WHEREAS, it has been proposed that the 2014 State of Wisconsin Legislature session address changes to be made to the State Statutes under Chapter 40 to allow the designation of the county jailers, detention officers and corrections officers as protective occupation participants for WRS purposes, without classifying them as active law enforcement and without granting them the bargaining rights afforded under Wis. Stat. §111.70.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors supports a proposed change to Wisconsin Statutes Chapter 40, in allowing the counties to make the determination as to protective occupation status for their county jailers, detention officers and corrections officers without finding them as active law enforcement and without

granting them full bargaining rights under Wis. Stat. §111.70, keeping within the intent of the implementation of Act 10.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to all 71 WI Counties that have County Correction Officers ** and Brown County's State Representatives in support of proposed changes to Chapter 40 of Wisconsin State Statutes.

Respectfully submitted,
BROWN COUNTY BOARD OF SUPERVISORS

** Amended as per the County Board of Supervisors on January 15, 2014.

Final Draft Approved and authored by Brown County Corporation Counsel

Fiscal Impact: This resolution does not require an appropriation from the general fund.

A motion was made by Supervisor Lund and seconded by Supervisor Erickson **"to adopt"**.

Following discussion, a motion was made by Supervisor Lund and seconded by Supervisor Hopp **"to amend to include the resolution be sent to all 71 counties in the state that have county corrections officers"**. Voice vote taken. Motion carried unanimously with no abstentions.

A motion was made by Supervisor Lund and seconded by Supervisor Erickson **"to adopt the resolution as amended"**. Voice vote taken. Motion carried unanimously with no abstentions.

Approved by: \s\ Troy Streckenbach, County Executive Date: 1/20/2014

No. 17 -- UPDATE, DISCUSSION AND POSSIBLE ACTION ON BARGAINING WITH SHERIFF DEPARTMENT SUPERVISOR LABOR UNION

A motion was made by Supervisor De Wane and seconded by Supervisor Clancy **"to hold until the February County Board Meeting"**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 18 -- SUCH OTHER MATTERS AS AUTHORIZED BY LAW.

Late Communications:

No. 18a -- FROM SUPERVISOR ROBINSON RE: HAVE STAFF EXPLORE THE POSSIBILITY OF SETTING UP A SEPARATE FUND FOR THE CORRECTION OFFICERS THAT WOULD UTILIZE CURRENTLY BUDGETED FUNDS TO SUPPORT EARLY RETIREMENT SIMILAR TO PROTECTIVE STATUS AND BRING BACK A PROPOSAL TO DO SO NEXT MONTH.

Refer to Executive Committee.

No. 18b -- FROM SUPERVISOR VANDER LEEST RE: REQUEST ON BEHALF OF GREEN BAY WEST SIDE RESIDENTS FOR THE BROWN COUNTY SHERIFF DEPARTMENT AND WISCONSIN STATE PATROL TO INCREASE PATROL IN CONSTRUCTION ZONES ON HIGHWAY 41 FROM LOMBARDI AVENUE AREA THROUGH THE END OF THE CONSTRUCTION ZONE ON HIGHWAY 41.

Refer to Public Safety Committee.

No. 18c -- FROM SUPERVISOR VANDER LEEST RE: REQUEST FOR THE PARK DEPARTMENT TO IDENTIFY IMPROVEMENTS TO THE BROWN COUNTY DOG PARK WITH THE FRIENDS OF THE BROWN COUNTY DOG PARK. FUNDS FOR IMPROVEMENTS WOULD BE USED FROM THE BROWN COUNTY PARK ACQUISITION FUND WHICH IS FUNDS ACCUMULATED FROM RELATED PARK LAND SALES, I.E. DOT, DNR AND OTHER RELATED GOVERNMENT ENTITIES.

Refer to Education and Recreation Committee.

No. 19-- BILLS OVER \$5,000 FOR PERIOD ENDING DECEMBER 31, 2013

A motion was made by Supervisor Van Dyck and seconded by Supervisor Jamir **“to pay the bills for the period ending December 31, 2013”**. Voice vote taken. Motion carried unanimously with no abstentions.

No. 20 -- CLOSING ROLL CALL.

Present: Sieber, De Wane, Nicholson, Hopp, Erickson, Zima, Evans, Vander Leest, Buckley, Landwehr, Dantine, La Violette, Katers, Kaster, Van Dyck, Jamir, Robinson, Clancy, Campbell, Moynihan, Steffen, Lund, Fewell

Excused: Hoyer, Haefs, Carpenter

Total Present: 23

Total Excused: 3

No. 21 -- ADJOURNMENT TO WEDNESDAY, FEBRUARY 19, 2014, AT 7:00 P.M., LEGISLATIVE ROOM #203, CITY HALL, 100 NORTH JEFFERSON STREET, GREEN BAY, WISCONSIN.

A motion was made by Supervisor Hopp and seconded by Supervisor Buckley **“to adjourn to the above date and time”**. Voice vote taken. Motion carried unanimously with no abstentions.

Meeting adjourned at 11:07 p.m.

ls\ Sandra L. Juno
SANDRA L. JUNO
Brown County Clerk